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Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Report of the Secretary-General

Addendum

Contents

	Page
Replies received from Governments	2
Cuba	2

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Replies received from Governments

Cuba

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1. Cuba has attached special importance to the protection of the environment in the development policies and programmes applied over the past 42 years. Article 27 of the Cuban Constitution affirms that:

> "The State shall protect the environment and natural resources of the country. It shall recognize their close linkage with sustainable economic and social development in making human life more rational and safeguarding the survival, welfare and safety of present and future generations. The competent organs shall implement this policy. It is the duty of the citizens to help to protect the water and the atmosphere and to conserve the soil, flora and fauna and the rich potential of nature as a whole."

2. Science and industry in the area of biotechnology offer potentially vast benefits by making it possible for biological resources to augment their contribution to the welfare of humanity. However, the use of biotechnology is not devoid of possible hazards to human health and biological diversity. The world has increasingly come to recognize that such hazards should be identified and controlled before the products or by-products of biotechnology are released into the environment.

3. Accordingly, the development and consolidation of a harmoniously structured legal basis are necessary in order to make feasible the control and supervision of these processes in an efficient manner.

4. Basic legislation offers the best safeguard for the establishment of appropriate and safe procedures for genetic manipulation and other applications involving biological material which could have contagious effects. It also provides for safety in the importation and exportation of biotechnological products. Certification and safe environmental conditions for production are both requirements for and factors in the facilitation of trade.

5. Since 1976, Cuba has been a State party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. Preparatory work in Cuba has been conducted at the national level for the fulfilment of the obligations assumed under the Convention, and Cuba is closely following the negotiations on a new protocol to the Convention which are taking place in Geneva. These efforts are based on the principles established for the organization and implementation of the measures relating to biological safety in the country and those agreed internationally.

6. In order to honour its international commitments, the Government of Cuba established a national mechanism to take care of biological safety issues. In this context, the Ministry of the Environment adopted decision No. 67 of 1996 by which it established the National Biological Safety Centre. The objectives of this Centre are to organize, manage, operate, supervise and monitor the national biological safety system, and also to organize, manage and monitor the measures taken to fulfil

the obligations which Cuba has assumed under international legal instruments in this field, including the Biological Weapons Convention.

7. Act No. 81, on the environment, which entered into force on 11 July 1997, established the principles governing environmental policy, the basic norms of State environmental management and the actions of citizens in society in general, with a view to protecting the environment and helping to implement sustainable development goals in Cuba.

8. The aforementioned Act, in chapter IV, article 153, provides that the importation of hazardous and radioactive waste requires the prior and express authorization of the Ministry of Science, Technology and the Environment, meaning that such importation will have to comply with existing international recommendations and national regulations and should be for socially justifiable purposes.

9. Chapter V, article 156, establishes that the Ministry of Science, Technology and the Environment, in conjunction with the competent organs and organizations, will issue provisions relating to the classification, production, stockpiling, conservation, control, management, exportation and importation of toxic chemical products for use by industry and the consumer.

10. Decree law 190, on biological safety, was adopted on 28 January 1999 and contains provisions supplementary to Act No. 81 on the environment. It entered into force on 15 February 1999.

11. Decree law 190 establishes the general precepts which regulate in national territory the use of biological agents and organisms and their fragments containing genetic information and the actions taken to ensure compliance with the international commitments assumed by Cuba in the area of biological safety.

12. The aforementioned decree law provides in its article (k) that it is the function of the Ministry of Science, Technology and the Environment to take any necessary measures to prohibit, prevent and monitor the development, production, stockpiling, acquisition or retention of biological agents and toxins, whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.

13. In 1999, decision No. 42 of the Ministry of Science, Technology and the Environment established the official lists of the biological agents most commonly used in Cuba and their groupings according to level of risk, with a view to determining safety requirements which, from the biological standpoint, are to be observed by the personnel required to handle them.

14. Other measures and regulations related to the objectives envisaged in General Assembly resolution 55/33 K have been adopted in Cuba in recent years. They include the signature in October 1999, with the International Atomic Energy Agency, of the Additional Protocol to the safeguards agreements between the Agency and the Government of Cuba.

15. In this context, it should be emphasized that since 1979 all activity connected with the peaceful use of nuclear energy in Cuba has been governed by a series of legal provisions which regulate and control activities in this area, committing the State unequivocally to the use of nuclear energy solely for peaceful purposes.

16. Cuba reiterates its belief that the most effective and reliable way of averting the dangers and threats inherent in the existence of nuclear weapons is through their total elimination.

17. Cuba continues to develop institutions which enable it to fulfil its obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, thereby bolstering its strict compliance with its commitments.

18. The conservation of the environment has become an imperative for the international community. The progress of human civilization has been affected, alas, by an assault on the ecological balance.

19. Fortunately, in recent years the principal international actors have come increasingly to believe that global measures must be taken in order to keep the situation from worsening. This stance contrasts with the untenable posture of the Government of the world's super-Power, which has distanced itself from the consensus on a reversal of current trends.

20. Cuba will continue to further fulfilment of the goals contained in General Assembly resolution 55/33 K.